

FILED

OCT 23 2018

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CROW INDIAN TRIBE; et al.,

Plaintiffs,

vs.

UNITED STATES OF AMERICA; et al.,

Federal Defendants.

and

STATE OF WYOMING; et al.,

Defendant-Intervenors.

CV 17-89-M-DLC

(Consolidated with Case Nos.

CV 17-117-M-DLC,

CV 17-118-M-DLC,

CV 17-119-M-DLC,

CV 17-123-M-DLC

and CV 18-16-M-DLC)

ORDER

Before the Court is Plaintiff Robert H. Aland's Motion to Lift Stay for Three Bifurcated Claims. (Doc. 267.) Aland asks the Court to order the parties to resume briefing on three issues raised in his complaint and unresolved this Court's Order granting summary judgment to Aland and the other Plaintiffs in this consolidated action. (Doc. 266.) The Federal Defendants oppose the motion. (Doc. 269.) The Court agrees with the Federal Defendants that Aland's claims are moot, and it denies the motion.

The Final Rule has been vacated and remanded, and the Court cannot grant further relief to Aland. Aland's remaining claims are moot, as "no effective relief for the alleged violation[s] can be given." *Feldman v. Bomar*, 518 F.3d 637, 640 (9th Cir. 2008) (quoting *Neighbors of Cuddy Mountain v. Alexander*, 303 F.3d 1059, 1065 (9th Cir. 2002)). Plaintiff Crow Indian Tribe has similarly unresolved claims, but it does not object to the entry of final judgment. Accordingly, the Court will now enter final judgment for the Plaintiffs pursuant to Federal Rule of Civil Procedure 58.

IT IS ORDERED:

- (1) Plaintiff Aland's Motion to Lift Stay for Three Bifurcated Claims (Doc. 267) is DENIED, and any remaining claims are DISMISSED as moot.**
- (2) The Clerk of Court shall enter judgment by separate entry for the Plaintiffs in each of the consolidated cases: 9:17-cv-89; 9:17-cv-117; 9:17-cv-118; 9:17-cv-119; 9:17-cv-123; and 9:18-cv-16.**
- (3) The Clerk of Court shall close each of the consolidated cases: 9:17-cv-89; 9:17-cv-117; 9:17-cv-118; 9:17-cv-119; 9:17-cv-123; and 9:18-cv-16.**

DATED this 23rd day of October, 2018.


Dana L. Christensen
Dana L. Christensen, Chief Judge
United States District Court